

02-14-02

JCC685 U.S. PTO

# UTILITY PATENT APPLICATION TRANSMITTAL (Large Entity)

*(Only for new nonprovisional applications under 37 CFR 1.53(b))*

Docket No.  
DEX-0314

Total Pages in this Submission

AC903 10/07/511 PRO

## TO THE ASSISTANT COMMISSIONER FOR PATENTS

Box Patent Application  
Washington, D.C. 20231

Transmitted herewith for filing under 35 U.S.C. 111(a) and 37 C.F.R. 1.53(b) is a new utility patent application for an invention entitled:

**COMPOSITIONS AND METHODS RELATING TO BREAST SPECIFIC GENES AND PROTEINS**

and invented by:

**Susana Salceda; Roberto Macina; Ping Hu; Herve Recipon; Kalpana Karra; Robert Cafferkey;  
Chenghua Liu; and Yongming Sun**

If a CONTINUATION APPLICATION, check appropriate box and supply the requisite information:

Continuation     Divisional     Continuation-in-part (CIP)    of prior application No.: \_\_\_\_\_

Which is a:

Continuation     Divisional     Continuation-in-part (CIP)    of prior application No.: \_\_\_\_\_

Which is a:

Continuation     Divisional     Continuation-in-part (CIP)    of prior application No.: \_\_\_\_\_

Enclosed are:

### Application Elements

1.  Filing fee as calculated and transmitted as described below
  
2.  Specification having 148 pages and including the following:
  - a.  Descriptive Title of the Invention
  - b.  Cross References to Related Applications (*if applicable*)
  - c.  Statement Regarding Federally-sponsored Research/Development (*if applicable*)
  - d.  Reference to Sequence Listing, a Table, or a Computer Program Listing Appendix
  - e.  Background of the Invention
  - f.  Brief Summary of the Invention
  - g.  Brief Description of the Drawings (*if filed*)
  - h.  Detailed Description
  - i.  Claim(s) as Classified Below
  - j.  Abstract of the Disclosure

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## Application Elements (Continued)

3.  Drawing(s) (*when necessary as prescribed by 35 USC 113*)
  - a.  Formal Number of Sheets \_\_\_\_\_
  - b.  Informal Number of Sheets \_\_\_\_\_
4.  Oath or Declaration
  - a.  Newly executed (*original or copy*)  Unexecuted
  - b.  Copy from a prior application (37 CFR 1.63(d)) (*for continuation/divisional application only*)
  - c.  With Power of Attorney  Without Power of Attorney
  - d.  DELETION OF INVENTOR(S)  
Signed statement attached deleting inventor(s) named in the prior application,  
see 37 C.F.R. 1.63(d)(2) and 1.33(b).
5.  Incorporation By Reference (*usable if Box 4b is checked*)  
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
6.  CD ROM or CD-R in duplicate, large table or Computer Program (Appendix)
7.  Application Data Sheet (See 37 CFR 1.76)
8.  Nucleotide and/or Amino Acid Sequence Submission (*if applicable, all must be included*)
  - a.  Computer Readable Form (CRF)
  - b.  Specification Sequence Listing on:
    - i.  CD-ROM or CD-R (2 copies); or
    - ii.  Paper
  - c.  Statement(s) Verifying Identical Paper and Computer Readable Copy

## Accompanying Application Parts

9.  Assignment Papers (*cover sheet & document(s)*)
10.  37 CFR 3.73(B) Statement (*when there is an assignee*)
11.  English Translation Document (*if applicable*)
12.  Information Disclosure Statement/PTO-1449  Copies of IDS Citations
13.  Preliminary Amendment
14.  Return Receipt Postcard (MPEP 503) (*Should be specifically itemized*)
15.  Certified Copy of Priority Document(s) (*if foreign priority is claimed*)
16.  Certificate of Mailing  
 First Class  Express Mail (*Specify Label No.:* EV 017478639 US)

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## Accompanying Application Parts (Continued)

17.  Additional Enclosures (please identify below):

Acknowledgment Postcard.

## Request That Application Not Be Published Pursuant To 35 U.S.C. 122(b)(2)

18.  Pursuant to 35 U.S.C. 122(b)(2), Applicant hereby requests that this patent application not be published pursuant to 35 U.S.C. 122(b)(1). Applicant hereby certifies that the invention disclosed in this application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication of applications 18 months after filing of the application.

### Warning

**An applicant who makes a request not to publish, but who subsequently files in a foreign country or under a multilateral international agreement specified in 35 U.S.C. 122(b)(2)(B)(i), must notify the Director of such filing not later than 45 days after the date of the filing of such foreign or international application. A failure of the applicant to provide such notice within the prescribed period shall result in the application being regarded as abandoned, unless it is shown to the satisfaction of the Director that the delay in submitting the notice was unintentional.**

# UTILITY PATENT APPLICATION TRANSMITTAL (Large Entity)

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Docket No.  
DEX-0314

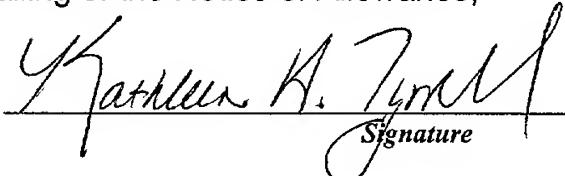
Total Pages in this Submission

## Fee Calculation and Transmittal

### CLAIMS AS FILED

For	#Filed	#Allowed	#Extra	Rate	Fee
Total Claims	19	- 20 =	0	x \$18.00	\$0.00
Indep. Claims	2	- 3 =	0	x \$84.00	\$0.00
Multiple Dependent Claims (check if applicable)	<input checked="" type="checkbox"/>				\$280.00
				BASIC FEE	\$740.00
OTHER FEE (specify purpose)					\$0.00
				TOTAL FILING FEE	\$1,020.00

- A check in the amount of \$1,020.00 to cover the filing fee is enclosed.
- The Commissioner is hereby authorized to charge and credit Deposit Account No. 50-1619 as described below. A duplicate copy of this sheet is enclosed.
- Charge the amount of \_\_\_\_\_ as filing fee.
- Credit any overpayment.
- Charge any additional filing fees required under 37 C.F.R. 1.16 and 1.17.
- Charge the issue fee set in 37 C.F.R. 1.18 at the mailing of the Notice of Allowance, pursuant to 37 C.F.R. 1.311(b).

  
*Kathleen A. Tyrrell*  
Signature

Dated: February 12, 2002

Kathleen A. Tyrrell, Reg. No. 38,350

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Tel: 856-810-1515  
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cc:

DEX-0314

CERTIFICATE OF EXPRESS MAILING

"Express Mail" Label No. EV 017478639 US

Date of Deposit: February 12, 2002

I hereby certify that this paper is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.A. 1.10 on the date indicated above and is addressed to the "BOX SEQUENCE", U.S. Patent and Trademark Office, P.O. Box 2327, Arlington, VA 22202.

- 1) Patent Application Transmittal Letter (in duplicate);
- 2) Application consisting of 148 pages of Specification, including 3 pages of Claims and 1 page of Abstract;
- 3) Trust Check in the amount of \$1,020.00;
- 4) Return Postcard;
- 5) Unexecuted Declaration and Power of Attorney;
- 6) Statement to Support Filing and Submission in Accordance with 37 C.F.R. §§1.821-1.825;
- 7) Paper copy of Sequence listing; and
- 8) Diskette containing computer readable copy of Sequence Listing.

  
\_\_\_\_\_  
Kathleen A. Tyrrell

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No.: DEX-0314

Inventors: Salceda et al.

Serial No.: Not yet assigned

Filing Date: Herewith

Examiner: Not yet assigned

Group Art Unit: Not yet assigned

Title: Compositions and Methods Relating to  
Breast Specific Genes and Proteins

"Express Mail" Label No. EV 017478639 US

Date of Deposit - February 12, 2002

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By   
Typed Name: Kathleen A. Tyrell, Registration No.38,350

U.S. Patent and Trademark Office  
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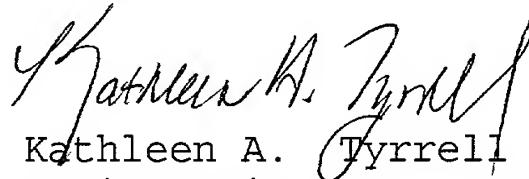
Sir:

STATEMENT TO SUPPORT FILING AND SUBMISSION IN ACCORDANCE  
WITH 37 CFR §§ 1.821 THROUGH 1.825

- (XX) I hereby state, in accordance with the requirements of 37 C.F.R. §1.821(f), that the contents of the paper and computer readable copies of the Sequence Listing, submitted in accordance with 37 CFR §1.821(c) and (e), respectively are the same.
- ( ) I hereby state that the submission filed in accordance with 37 CFR §1.821(g) does not include new matter.
- ( ) I hereby state that the submission filed in accordance with 37 CFR §1.821(h) does not include new matter or go beyond the disclosure in the international application as filed.

- ( ) I hereby state that the amendments, made in accordance with 37 CFR §1.825(a), included in the substitute sheet(s) of the Sequence Listing were made to conform with the current Sequence Listing rules. I hereby state that the substitute sheet(s) of the Sequence Listing does not include new matter.
- ( ) I hereby state that the substitute copy of the computer readable form, submitted in accordance with 37 CFR §1.825(b), is the same as the amended Sequence Listing.
- ( ) I hereby state that the substitute copy of the computer readable form, submitted in accordance with 37 CFR §1.825(d), contains identical data to that originally filed.

Respectfully submitted,



Kathleen A. Tyrrell  
Registration No. 38,350

Date: February 12, 2002

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